

1 of 2

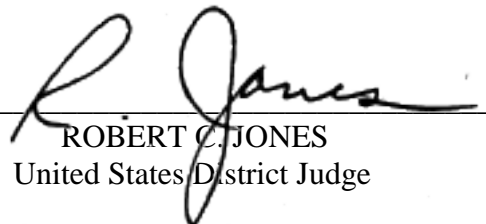
1 Plaintiff has filed an emergency motion, having noticed that the verdict form does not
2 include Defendant Michael S. David. The parties were provided with copies of the proposed
3 verdict form during the November 18, 2016 hearing on jury instructions, as well as during the
4 November 21, 2016 reading of the instructions to the jury. No version of the verdict form has
5 ever included Mr. David as a Defendant, and no party has ever raised the present objection. Still,
6 Plaintiff is correct that Mr. David is listed as a Defendant both in the Third Amended Complaint
7 and the Pretrial Order. The Court will therefore provide a corrected verdict form to the jury with
8 the following note: "Attached you will find a corrected version of the verdict form that includes
9 Defendant Michael S. David. Please keep the first verdict form I gave you in the envelope but
10 only complete and sign the corrected version when you reach a verdict."

11 **CONCLUSION**

12 IT IS HEREBY ORDERED that the Emergency Motion to Correct Potential Errors on
13 Verdict Form (ECF No. 1077) is GRANTED.

14 IT IS SO ORDERED.

15 Dated this 22nd day of November, 2016.

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18 ROBERT C. JONES
19 United States District Judge
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